

17.03.2021

CRM 11151 of 2020

Court No. 28
Item No. 53
snandy

(REJECTED)

In Re: An application for **Bail** under Section **439** of the Code of Criminal Procedure filed on 23.12.2020 in connection with Sinthi Police Station Case No. 183 of 2013 dated 05.11.2013 under Sections 120B/395/397/ 412/75 of the Indian Penal Code and Sections 25(1B)(a)/27 of the Arms Act. (S.T. Case No. 05(11) of 2020)

and

In the matter of: **Md. Israil Khan @ Md. Isreal Khan**

..... Petitioner

Mr. Sandip Kundu, Advocate

.....for the Petitioner

Mr. Saibal Bapuli, Advocate

Ms. Sayanti Santra, Advocate

..... for the State

The petitioner has filed the instant application for bail in connection with Sinthi Police Station Case No. 183 of 2013 dated 05.11.2013 under Sections 120B/395/397/ 412/75 of the Indian Penal Code and Sections 25(1B)(a)/27 of the Arms Act.

The learned Advocate of the petitioner submits that out of 35 witnesses only 7 have been examined. It is thus contended that there is no probability of the case being brought to its logical end in near future and, therefore, the petitioner should be released on bail.

The learned Advocate for the State submits that the case is scheduled for recording evidences of other witnesses, which has been fixed from March 23, 2021.

In view of the fact that the schedule for recording the evidence of witnesses has been fixed in this month, we expect that the prosecution would bring all the witnesses for recording evidence and shall not cause unnecessary delay. We further hope that the petitioner shall also cooperate with the trial of the case and shall not unnecessarily drag the same by seeking adjournment.

Therefore, we do not find that this is a fit case where the petitioner should be released on bail.

Accordingly, the prayer for bail is **rejected**.

The application being **CRM 11151 of 2020** accordingly **dismissed**.

(Harish Tandon, J.)

(Tirthankar Ghosh, J.)